IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

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WRIT PETITION NO : 8004 of 1995

Between:

1. T. Srinivasu, S/o. Sri Late Rangaiah,
   allotted to Technical Education Dept., Hyderabad.
2. Avula Venkata Raghunatha Reddy, S/o. Sri Venkata Swamy Reddy,
   allotted to Technicl Education Dept., Hyderabad.
3. Madduri Rama Lingeswara Sastry S/o. Deekshitulu,
   allotted to Technical Education Dept., Hyderabad.
4. Paturi Bhaskara Rao S/o. Sri Ramaiah,
   allotted to Technical Education Dept., Hyderabad.
5. B.B.R.K. Prasad. S/o. Sri Rammohan Rao.
   allotted to Technical Education Dept., Hyderabad.
6. Sirigibattula Siva Rama Prasad, S/o. Sri Venkateswara Rao,
   allotted to Technical Education Dept., Hyderabad.
7 Chkaka Peturu S/o. Sri Yesobu,
   allotted to Government Printing Dept., Hyderabad.
8 V. Siva Chandra Reddy, S/o. Sri Lakshmi Reddy,
   allotted to Technical Education Dept., Hyderabad.
9 Lakkotu Veerachari S/o. Sri Suryanarayana,
   allotted to Technical Education Dept., Hyderabad.
10 A. Srinivasa Rao S/o. Sri Pandurangaiah,
   allotted to Irrigation & Command Area Development.
11. Muvva Ravi Kumar, S/o. Pullaiah Chowdary,
   allotted to Irrigation & Command Area Development.
12 V.J.Y. Ratna Raju, S/o. Sri Theophilus,
   allotted to Information and Public Relations Dept.,
13 Edamakanti Raghurami Reddy, S/o. Koti Reddy,
   allotted to Technical Education Dept., Hyderabad.
14 D. Lakshman Kumar, S/o. Sri Murali Nath,
   allotted to Technical Education Dept., Hyderabad.
15 N. Sudha, D/o. Late Sri N. Krishna Prasad,
   allotted to Technical Education Dept., Hyderabad.
16 B.K.R. Bapi Raju, S/o. Sri Ramakrishnam Raju,
   allotted to Technical Education Dept., Hyderabad.
17 Poranki Lakshmi Narasimha Raju, S/o. Sri Venkata Krishnam Raju,

allotted to Technical Education Dept., Hyderabad.

18 B. Ramesh S/o.Bhaskara Rao,
allotted to Information and Public Relations Dept., Hyderabad.

19. H.V. Ravindra Prasad S/o. Late H. Vasudeva Rao,
allotted to I & CAD Dept., Hyderabad.

..... PETITIONERS

AND

1. State of A.P. rep. by its Chief Secretary,

A.P. Secretariat Buildings, Hyderabad.

2 Convenor, Empowered Committee and Managing Director,

Andhra Pradesh Industrial Development Corpn., Hyderabad.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction, especially one in the nature of mandamus; (i) declaring that the petitioners are entitled for protection in terms of GO Rt No. 383 and 384 Inds. and Commerce Dept., dated 31.3.1993 and G.O.Ms.No. 180 Inds. and Commerce Dept. date 28.4.1993 (ii) to declare that the State Government is stopped from discharging the petitioners from service in view of their undertaking before BIFR on 4.4.94 and the agreement before the Deputy Commissioner of Labour under Sec. 12 (3) of the Industrial Disputes Act, 1947; and (iii) to grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.V.JOGAIAH SARMA

Counsel for the Respondent No.1: G.P. FOR INDUSTRIES &

COMMERCE

Counsel for the Respondent No.2: P. Balarani (Not present)

The Court made the following

ORAL ORDER:

Heard both sides.

2. The petitioners seek a declaration that they are entitled for protection in terms of G.O.Rt.No.383 and 384, Industries and Commerce Department, dated 31-03-1993, and G.O.Ms.No.180 Industries and Commerce Department, dated 28-04-1993, and further the State Government is stopped from discharging the petitioners from service in view of their undertaking before B.I.F.R. on 04-04-1994 and the agreement before the Deputy Commissioner of Labour under Section 12 (3) of the Industrial Disputes Act, 1947.

3. It appears from the averments made in the affidavit, filed in support of the writ petition, that the petitioners were allotted to various

departments by virtue of G.O.Ms.Nos.383 and 384, Industries and Commerce Department, dated 31-03-1993, and G.O.Ms.No.180 Industries and Commerce Department, dated 28-04-1993, and accordingly, they were discharging their duties in the second respondent-Corporation. Further, it appears from the averments made in the said affidavit that all the petitioners were allotted to the second respondent and they have been continuing in service in their respective duties attached to them. But, the further grievance of the petitioners is that they were not being paid various benefits and their services were also not been regularized.

4. In this connection, the learned Government Pleader for Industries and Commerce represents that the Government had formulated certain guidelines in G.O.Ms.No.87, Industries and Commerce (IFR.II) Department, dated 24-03-2003, regarding regularization of the erstwhile employees of the Hyderabad Allwyn Limited, who were allotted to various other Governmental organizations, which further deals with the regularization, payment of salaries and the status of such employees etc.

5. Hence, having regard to the decision taken by the Government and also having regard to the guidelines formulated by the Government through G.O.Ms.No.87, Industries and Commerce (IFR.II) Department, dated 24-03-2003, no further orders need be passed in this writ petition.

6. Accordingly, the writ petition is closed. However, there shall be no order as to costs.

7. The interim directions granted by this Court in W.P.M.P.No.9932 of

1995, dated 21-04-1995, are hereby vacated.

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D.S.R. VARMA, J

28TH OCTOBER 2004

ISN/KRK

To

1.The Chief Secretary, State of A.P., A.P. Secretariat Buildings, Hyderabad.
2 The Convenor, Empowered Committee and Managing Director,

Andhra Pradesh Industrial Development Corpn., Hyderabad.

3.Two CCs to G.P. for Industries & Commerce, High Court Buildings,

Hyderabad (OUT).
4.Two CD copies.

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.8004 OF 1995

28TH OCTOBER 2004